

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DISTRICT**

CITY OF OKOLONA, MISSISSIPPI

PLAINTIFF

V.

CASE NO. 1:05CV109

**OKOLONA, MISSISSIPPI DEMOCRATIC
EXECUTIVE COMMITTEE and OKOLONA,
MISSISSIPPI MUNICIPAL ELECTION COMMISSION**

DEFENDANTS

ORDER

**BEFORE BARKSDALE, CIRCUIT JUDGE; DAVIDSON, DISTRICT JUDGE AND
MILLS, DISTRICT JUDGE**

MILLS, J., FOR THE COURT

It is hereby ordered that the parties and entities invited to participate, if represented by counsel, submit briefing on the issues of whether 1) the city has standing to bring this action; and 2) whether the complaint properly states a claim under Fed. R. Civ. P. 12(b)(6). With regard to the second issue, plaintiff should brief the issue of whether the challenged procedure in this case has the “effect of denying or abridging the right to vote on account of race or color, or in contravention of the guarantees set forth in [42 U.S.C.] section 1973b(f)(2)” and, if not, whether the complaint properly states a claim in light of this fact.

Briefing on these issues is to be included with the earlier ordered briefing in support of, or in opposition to, the requested injunction, to be filed no later than 1:00 p.m. on Wednesday, April 27, 2005.

SO ORDERED, the 26th day of April, 2005.

/s/ Michael P. Mills
UNITED STATES DISTRICT JUDGE